

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:07CR3005
)	
V.)	
)	
RICHARD FLEMING,)	MEMORANDUM
)	AND ORDER
)	
Defendant.)	

Pending before me is the oral report and recommendation read into the record. (*See* Filing 47 at CM/ECF pp. 57-62.) Judge Piester confirmed his oral recommendation on November 6, 2007. (*See* Filing 45). I am also in receipt of the defendant's objection. (Filing 49). After considering the briefs of the parties, I will adopt Judge Piester's report and recommendation and deny the objection. In short, and as a matter of fact, there were no plea negotiations within the meaning of Federal Rules of Evidence 410 and thus the motion to suppress must be denied. Accordingly,

IT IS ORDERED that:

- (1) The motion to suppress (filing 34) is denied.
- (2) The report and recommendation (filing 45) dictated into the record (filing 47 at CM/ECF pp. 57-62) is adopted.
- (3) The objection to the report and recommendation (filing 49) is denied.

December 4, 2007.

BY THE COURT:

S/ Richard G. Kopf
United States District Judge